

FILED
Clerk
District Court

FEB - 8 2007

For The Northern Mariana Islands
By _____
(Deputy Clerk)

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Attorney for Defendant Robert A. Bisom

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

ROBERT D. BRADSHAW,

Plaintiff,

vs.

COMMONWEALTH OF THE NORTHERN
MARIANA ISLANDS, NICOLE C. FORELLI,
WILLIAM C. BUSH, D. DOUGLAS COTTON,
L. DAVID SOSEBEE, ANDREW CLAYTON,
UNKNOWN AND UNNAMED PERSONS IN
THE CNMI OFFICE OF THE ATTORNEY
GENERAL, PAMELA BROWN, ROBERT
BISOM and JAY H. SORENSEN,

Defendants.

CASE NO. CV 05-00027

SECOND EX PARTE
APPLICATION UNDER LOCAL
RULE 7.1 TO INCREASE TIME
FOR BRIEFING RE: PLAINTIFF'S
MOTION FOR PARTIAL
SUMMARY JUDGMENT;
CERTIFICATE MADE
PURSUANT TO RULE 7.1.h.3(b);
DECLARATION IN SUPPORT

Date: Thursday, March 15, 2007
Time: 9:30 a.m.
Judge: Hon. Alex R. Munson

CERTIFICATE PURSUANT TO LOCAL RULE 7.1.h.3(b)

I, MARK B. HANSON, certify as follows:

A. The address and phone number of the plaintiff, who is without counsel, is: P.O. Box 473, 1530 Trout Creek Road, Calder, Idaho 83808. Phone: 208-245-1691, no fax.

The address of the Jay H. Sorensen, c/o Shanghai, P.O. Box 9022, Warren, MI 48090-9022. Telephone: 86-21-5083-8542; Facsimile: 86-21-5083-8542.

The address of the Attorney General, who represents all the other defendants who have not been dismissed is: Office of the Attorney General—Civil Division, Second Floor, Hon. Juan A. Sablan Memorial Bldg., Caller Box 10007, Saipan, MP 96950. Phone: 670-664-2341;

I am the attorney for Robert Bisom. My address and phone are set forth above the

1 caption.

2 B. This is the second application by Mr. Bisom for an extension of time in which to file
3 a response to Plaintiff's Motion for Partial Summary Judgment. The reason this application
4 is *ex parte* is due to the fact that there is insufficient time to do a noticed motion or a written
5 stipulation because written communication with the plaintiff and other parties would take
6 several days and Mr. Bisom's response to Plaintiff's Motion for Partial Summary Judgment is
7 due today, February 8, 2007, by prior order of this Court extending the time for Mr. Bisom and
8 other defendants to respond. Further, good cause exists to grant the motion, as set forth in
9 the application below.

10 C. Pursuant to L.R. 7.1.h.B(1), I called plaintiff on February 7, 2007 (Saipan time) to
11 notify him of my intention to file this application. I informed Mr. Bradshaw that Mr. Bisom
12 would request that his opposition to the Motion for Partial Summary Judgment be due on
13 February 19, 2007 — another eleven days from today's date. He told me that he had no
14 objection. Counsel for other defendants will get notice of the filing of this Motion via the
15 Court's electronic case filing system with the exception of Mr. Sorensen whom I will inform
16 via direct e-mail.

17 D. There has been one previous request for an extension of time as to the pending
18 motion. The extension request was in conjunction with a request by Mr. Sorensen for an
19 additional three weeks to respond. That extension was granted to both Mr. Sorensen and to
20 Mr. Bisom. This request is for an additional eleven days beyond the prior three week extension
21 for Mr. Bisom. It is my understanding that Mr. Sorensen will file his opposition today.

22 E. Because the hearing has been set for March 15, 2007, this additional time will have
23 no delaying effect on hearing or determination of the motion. I spoke at length with Mr.
24 Bradshaw about the delays in receiving mail which may affect his receipt of the opposition of
25 Mr. Bisom and he informed me that he believes he will have sufficient time to file a reply if
26 this extension is granted.
27
28

1 DATED this 8th day of February, 2007.

3 /s/ Mark B. Hanson

4

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10 Attorney for *Defendant Robert A. Bisom*

11 APPLICATION

12 Defendant Robert A. Bisom, by and through his counsel of record, moves the court
13 pursuant to Local Rule 7.1.h to extend the time for filing his opposition to plaintiff's motion
14 for partial summary judgment by an additional eleven (11) days, from February 8, 2007 to
15 February 19, 2007. Good cause exists to grant the motion, as set forth in the declaration
16 below. A proposed order has been submitted herewith for the Court's convenience.

18 DATED this 8th day of February, 2007.

20 /s/ Mark B. Hanson

21

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27 Attorney for *Defendant Robert A. Bisom*

DECLARATION OF MARK B. HANSON

I, MARK B. HANSON, do hereby declare:

1. I am competent to testify, and if called to do so, I would testify in accord herewith.

2. I am the attorney for Robert A. Bisom in the above-captioned proceedings. I submit this declaration in support of this motion to increase the time for filing and service of the opposition to the partial summary judgment motion set be heard on March 15, 2007. The facts stated herein are of my own knowledge.

3. Plaintiff's motion is long and complicated. It includes 25 pages of argument and some 36 exhibits. It has required more than the normal amount of time for a response. Because the hearing is not scheduled until March 15, 2007, there is still substantial time for Plaintiff to file any reply to the opposition of Mr. Bisom filed hereafter.

4. In order to reduce costs and expedite a response, the defendants have attempted to coordinate efforts to respond to plaintiffs' Motion for Partial Summary Judgment. The efforts, which would have required coordinated communication and the same filing date for the defendants' oppositions, were less than successful. No cooperation whatsoever was forthcoming from the Government. Further, my own case schedule and unanticipated emergencies have had substantial impact on my available time in the past three weeks.

5. Accordingly, Robert A. Bisom requests that the time allowed by Local Rule 7.1 for filing and serving the opposition to plaintiff's motion for partial summary judgment scheduled to be heard on March 15, 2007 be increased by eleven (11) days, making the opposition papers due on February 19, 2007, which is still three and one half weeks before the hearing.

I declare under the penalty of perjury that the foregoing is true and correct and that this Declaration was executed this 8th day of February, 2007 in Saipan, Commonwealth of the Northern Mariana Islands.

/s/ Mark B. Hanson

MARK B. HANSON
Attorney for Robert A. Bisom